

MAINE STATE HARNESS RACING COMMISSION
MINUTES OF MEETING
April 25, 2018

Gambling Control Board Conference Room
Department of Public Safety
45 Commerce Drive, Augusta, Maine
Starting Time 9:00 a.m.

Commission Members Present: Michael Timmons, Chair, Gary Reed, William McFarland, William Varney, and Michael Graham

Commission Members Absent: None

Staff Members Present: Ron Guay, AAG, Henry Jennings, Carol Gauthier, Miles Greenleaf, Jaime Wood, Jennifer Flint, and Zachary Matzkin

1. Call the Meeting to Order and Introductions: Michael Timmons, Chair

2. Review and Approval of Minutes
None.

Review and Approval of Decision and Orders
None.

3. Adjudicatory Hearings:

Commissioner Timmons turned this item over to the hearing officer. AAG, Guay stated that he will do qualifications of the Commissioners and the hearing officer. He disclosed that as counsel for the Maine State Harness Racing Commission that he served with one of the owners involved in the case here, Commissioner Varney; and he was also made aware of the situation around Commissioner Varney no longer being chair of the Commission. He asked counsel to identify who they are and who they represent. William Childs representing Heidi Gibbs, Tim Steigelman and Kaitlyn Husar for Valerie Grondin, and Mark Randlett representing Department Staff. AAG, Guay stated that Commissioners Varney and Graham recused themselves from the hearing. He also qualified the Commissioners. The Commissioners participating in the hearing are Commissioner Timmons, McFarland, and Reed.

The transcript of the hearing regarding Heidi Gibbs complaint number 2017 MSHRC 29 and Valerie Grondin complaint number 2017 MSHRC 45 is available at the Maine State Harness Racing Commission office. This hearing was continued to May 9, 2018.

- a. RE: Heidi Gibbs, Complaint Number 2017 MSHRC 29.** Ms. Gibbs is alleged to have violated MSHRC Rules Chapter 7 and 11. Ms. Gibbs is the trainer of record for the horse "Lets Get It All". A blood sample obtained from Lets Get It All following the First Non-Betting Race at the Skowhegan Fair on August 14, 2017 disclosed an elevated level of Betamethasone.
- b. RE: Valerie Grondin, Complaint Number 2017 MSHRC 45.** Ms. Grondin is alleged to have violated MSHRC Rules Chapter 7 and 11. Ms. Grondin is the trainer of record for the

horse “Pembroke Perfect”. A blood sample obtained from Pembroke Perfect following the Ninth Race at Scarborough Downs on October 14, 2017 disclosed an elevated level of Betamethasone.

4. **Final Adoption of Proposed Amendments to Commission Rules, Chapters 7, 11 and 17.** On November 22, 2017, a Notice of Agency Rulemaking Proposal was published in Maine’s five daily newspapers marking the beginning of the official comment period for proposed amendments to Chapters 1, 3, 7, 11, 13, 15 and 17 of the Commission’s rules. The Commission held a public hearing on the proposed amendments December 14, 2017. The deadline for written comments was the close of business on December 29, 2017. The Commission has adopted amendments to Chapters 1, 3, 7, 13 and 15 and directed the staff relative to which amendments to accept for Chapter 7, 11 and 17. The Commission will now adopt the final amendments to those three chapters. Commissioner Timmons stated that he would entertain a motion to accept Chapters 7, 11, and 17. Commissioner McFarland made a motion to adopt Chapter 7, Racing, Chapter 11, Medication and Testing and Chapter 17, Rule Violations and Penalties that they adopt each package which includes the amended rule, basis statement, and comments and impact on small businesses. Commissioner Graham seconded. Vote 4-1. Commissioner Varney abstained.
5. **Other Business:**
 - a. Continued discussion regarding the Commission’s Consent Agreement Policy
This item was continued.
 - b. Mr. Jennings stated that he has had some interaction with some horsemen about the concept of looking at classified racing as an option that they might try this year. There’s at least three benefits to trying classified racing and one is that it produces more even or competitive fields and it might encourage more wagering. The most important benefit of trying classified racing is that it would be beneficial to small stables that might have one or two horses. Under Chapter 7, Section 15 it lists the types of racing that are allowed in the State of Maine, and under Subsection 6, Classified racing with permission of the Commission. We are asking for the Commission’s permission to try classified racing in 2018 in the State of Maine. Commissioner Timmons stated that anything we can do to help harness racing isn’t something that we don’t want to be negative about. We want to be positive about. He thinks they should support this. He would like to entertain a motion for discussion. Commissioner Graham made a motion to grant classified racing in 2018. Commissioner McFarland seconded. Commissioner Timmons asked if there was any discussion briefly from the public on this topic. There was none. Vote 5-0.
6. **Schedule of Future Meetings:**
May 9, 2018
7. **Adjourn**
5:46 p.m.